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January 9, 2012

EIR Comments  
Delta Stewardship Council  
980 Ninth Street, Suite 1500  
Sacramento, CA 95814

Subject: Draft EIR - Delta Plan

Honorable Members of the Delta Stewardship Council:

We have provided comments on the Draft Delta Plan previously, the most recent in May 2011. Our comments in the past have been more focused on policies affecting property rights and the establishment of a South Delta flood bypass south of Paradise Cut near the River Islands project site. The Council made revisions in response to the Central Valley Flood Protection Board's suggested language in particular, which involved the establishment of a flood bypass in conjunction with improvements to Paradise Cut proposed by our project; we are appreciative of the Council's revisions that are reflective in the Fifth Draft Plan.

In the past, we have also concurred with correspondence and comments provided by the Delta Counties Coalition. These comments reflect concern regarding the proposed policies of the Delta Plan that would effectively usurp local land use regulation and jurisdiction. We remained concerned about these policies contained in the Draft Plan and its effects on local land use regulation, vested property rights and underlying entitlements. We will be providing additional comments on the Draft Plan itself in separate correspondence.

With regards to the Draft EIR, we note that while the document is programmatic in nature, the alternatives offered are broad and pre-select certain policies "bundled" with other policies. There are a multitude of alternatives that could be analyzed with regard to the many policies contained in the Draft Plan. As an example, Alternative 3 includes: Increased Emphasis on Protection and Enhancement of Delta Communities and Culture; Protection of Delta Agricultural Land and Less Ecosystem Restoration; Fewer Regulations for Delta Counties. We would in general support such an alternative, but believe ecosystem restoration should be increased not lessened; we do not believe that this has to be a competing interest to agricultural land protection.

We reserve the right to comment further on the Draft EIR and related documents in the future as provided in applicable law. We also request to continue to receive updates, correspondence and meeting notices to this office at the address shown on the letterhead, both in regards to the Delta Plan and the Draft EIR.



Letter to Delta Stewardship Council  
Re: Delta Plan Draft EIR  
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Sincerely,

A handwritten signature in blue ink, appearing to read "Susan D.", with a long horizontal flourish extending to the right.

Susan Dell'Osso  
Project Director

cc: Cathleen Galgiani, Assemblymember  
Mayor and City Council of the City of Lathrop  
Frank L. Ruhstaller, Chairman, San Joaquin County Board of Supervisors  
Cary Keaten, City Manager of the City of Lathrop  
Glenn Gebhardt, Director of Community Development/City Engineer, City of Lathrop  
Kerry Sullivan, Community Development Director, San Joaquin County  
Jared Ficker, California Strategies  
Kurt Schuparra, California Strategies  
Michael Brown, Brown Sand and Gravel